

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**DAVID LEE PITTMAN, #425377**

**PLAINTIFF**

**VERSUS**

**CIVIL ACTION NO. 1:08cv672-HSO-JMR**

**JERRY COOKSEY and CHARLES BRADEN**

**DEFENDANTS**

**FINAL JUDGMENT**

This matter came on to be heard on Defendant Jerry Cooksey's Motion to Dismiss [21] filed on March 3, 2009, Defendant Charles Braden's Motion to Dismiss [37] filed December 8, 2009, and Plaintiff David Lee Pittman's Voluntary Motion to Dismiss [39] filed December 29, 2009. The Court, after a full review and consideration of the parties' Motions and Chief Magistrate Judge John M. Roper's Report and Recommendation [42], as well as the pleadings on file and the relevant legal authorities, finds that in accord with its Order entered herewith,

**IT IS, ORDERED AND ADJUDGED**, that Plaintiff's claims against Defendants are hereby **DISMISSED WITH PREJUDICE to the claims being reasserted, until such time as the *Heck* conditions are met.**

**SO ORDERED AND ADJUDGED**, this the 1<sup>st</sup> day of February, 2010.

*s/ Halil Suleyman Ozerden*

HALIL SULEYMAN OZERDEN  
UNITED STATES DISTRICT JUDGE